

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

SARAH MYTIER,

CASE NO. 2:20-cv-01492-JHC

Plaintiff,

ORDER

V.

HORACE MANN INSURANCE CO.,

Defendant.

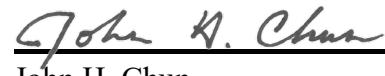
This matter comes before the Court on Plaintiff's Motion for Relief from Deadline, to Continue Trial or in the Alternative to Dismiss All Claims Without Prejudice. Dkt. # 29. The Court has reviewed the materials filed in support of, and in opposition to, the motion.

This case concerns an underinsured motorist claim. Plaintiff says the collision at issue took place over four and a half years ago, in December 2017. *Id.* at 2. This litigation has been pending since September 2020. By the time of the trial date, September 26, 2022, the case will be over two years old. In support of the continuance request, Plaintiff says she needs additional treatment. She does not submit the declaration of any health care professional. Her declaration contains a series of factual assertions that omit dates. Dkt. # 31 at 2. Nor does she cite any legal authority to support the proposition that the circumstances she presents amounts to just cause for

1 a continuance. Accordingly, the Court DENIES Plaintiff's motion for a continuance. And
2 because Defendant does not show that it would suffer the requisite prejudice from dismissal, the
3 Court GRANTS Plaintiff's motion to dismiss, and DISMISSES this matter without prejudice.
4 The Court DENIES Defendant's request for an award of legal expenses; but denial is without
5 prejudice to any request for such an award in future litigation.

6 The Clerk is directed to send uncertified copies of this Order to all counsel of record and
7 to any party appearing pro se at said party's last known address.

8 Dated this 29th day of July, 2022.

9 
10 John H. Chun
11 United States District Judge